

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

RONALD BUNTON, #620942

§

§

V.

§

CIVIL ACTION NO. G-02-598

§

MONROE KRUEZER

§

ORDER OF DISMISSAL


Before the Court for its Order of Acceptance is a Report and Recommendation of the United States Magistrate Judge, entered on March 5, 2007, which recommends that the remaining claim in this cause regarding Plaintiff's alleged confinement in solitary as a pretrial detainee be dismissed with prejudice. Plaintiff has filed objections to the Report and Recommendation, arguing that his civil rights were violated when he was placed in solitary confinement after requesting medical care, and because "licensed medical personnel" were not on permanent site-status at the jail. The United States Court of Appeals for the Fifth Circuit affirmed this Court's finding on the issue of deliberate indifference to Plaintiff's serious medical needs and remanded the cause solely for a determination regarding Plaintiff's unaddressed claim of solitary confinement as a pretrial detainee.

As correctly stated by the Magistrate Judge, summary judgment evidence which chronicles Plaintiff's housing assignments while at the Chambers County jail clearly shows that at no time was Plaintiff ever confined in solitary confinement; Plaintiff has wholly failed to present any evidence

to the contrary, other than his own unfounded, self-serving assertions. This Court finds Plaintiff's objections to be wholly lacking in merit.

After *de novo* review pursuant to 28 U.S.C. §636 (b)(1)(C), this Court is of the opinion that the Report and Recommendation of the Magistrate Judge should be, and it is hereby, **ACCEPTED** in its entirety and incorporated by reference herein. It is the **ORDER** of this Court that this cause is **DISMISSED** with prejudice as frivolous.

DONE at Galveston, Texas, this the 2nd day of April, 2007.



Samuel B. Kent
United States District Judge